

require the presence of some 30 technical personnel during periods of 24-hour operation.

Mr. President, the customs and tax privileges with respect to both official property and personal property of ESRO personnel, which ESRO is seeking in the same kind of special treatment afforded NASA with respect to its tracking stations abroad and personnel abroad. I think it is very important that we do at least as much to encourage ESRO as the many nations around the world who co-operate with us in our space program have done for us.

Mr. President, so my colleagues will know something about the International Organizations Immunities Act, which I would amend with my bill. I ask unanimous consent to have a section-by-section analysis of the act as well as the text of my bill printed in the Record at this point.

THE PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 2130) to amend the International Organizations Immunities Act, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 285-288f) is amended by adding a new section 11, to read as follows:

"Sec. 11. The European Space Research Organization shall be deemed to be an international organization for the purposes of this Act."

The section-by-section analysis presented by Mr. BARTLETT is as follows:

SECTION-BY-SECTION ANALYSIS OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT (59 STAT. 669; 22 U.S.C. 285-288f)

This analysis is derived largely from a summary of the provisions of the legislation included in the report of the House Committee on Ways and Means when the legislation was reported out on November 12, 1945. For the full text of the committee's report, see United States Code Congressional Service, 76th Congress, 1st session, 1945, page 946. The act has not been amended since its original enactment.

Section 1 of the act defines the term "international organization" to mean a public international organization in which the U.S. participates pursuant to any treaty or under the authority of any act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designed by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities provided under the act.

Section 1 also provides for the revocation, by the President, of the privileges from any organization in the event of their abuse or for any other reason.

Section 2 of the act recognizes that international organizations shall, to the extent consistent with the instrument creating them, possess the capacity to make contracts, to acquire and dispose of real and personal property, and to institute legal proceedings.

Section 2 also sets forth certain general exemptions which would be extended to international organizations (if otherwise cover-

ed under the act), including immunity from suit, seizure, and confiscation, and inviolability of their archives. With respect to the specific matters of customs duties and internal revenue taxes, imposed upon or by reason of importation, and procedures for collection and enforcement of these duties and taxes, the privileges, exemptions, and immunities extended to international organizations are those accorded foreign governments under similar circumstances. Similarly, with respect to the registration of foreign agents, and the treatment of official communications, international organizations are put on the same basis as foreign governments.

Section 3 of the act provides exemption from customs duties and internal revenue taxes, imposed upon or by reason of importation, with respect to the baggage and effects of alien officers and employees of international organizations, aliens designated by foreign governments to serve as their representatives in or to such organizations, and the families, suites, or servants of such officers, employees, or representatives. In order to receive the exemption, baggage and effects must be imported in connection with the arrival of the owner in this country.

Section 4 of the act provides for amendments of the Internal Revenue Code in order to extend exemptions from Federal taxation to international organizations and their officers and employees.

International organizations are put on the same basis as foreign governments with respect to the exemption of income from sources within the United States.

Similarly, exemption from income tax is extended to alien officers and employees of international organizations but not to American citizens. In this respect the exemption is similar to the exemption provided for employees of a foreign government. The exemption is limited to wages, fees, or salary received as compensation for official services to such international organizations so that the beneficiaries of the exemption are not relieved by the act from taxes on income derived from commercial activities in the United States, speculation in securities, or other sources within the United States.

International organizations and all of their employees, including U.S. citizens as well as aliens, are exempted from social security taxes and the collection of tax at the source on wages. International organizations and their employees are thus placed in precisely the same position with respect to these taxes as the U.S. Government and foreign governments.

International organizations are also exempted from the Federal communications taxes and taxes on transportation of persons and property but neither they nor their officers and employees are exempted from any Federal excise or tax not specifically referred to in the act.

Section 5 of the act amends the Social Security Act to remove from covered employment, services performed in the employ of an international organization, paralleling the employment-tax exemptions accorded by section 4.

Section 6 of the act provides that international organizations shall be exempt from all property taxes imposed by or under the authority of any act of Congress, including such as are applicable to the District of Columbia, and also that they shall have the same exemptions from State and local taxes as does the U.S. Government. Since these exemptions are not extended to individuals, administrative difficulties in connection with local sales taxes will be kept to a minimum.

Section 7 of the act provides that alien officers and employees of international organizations and representatives of foreign governments therein shall enjoy the same privileges as officials of foreign governments

in respect of laws regulating entering into and departure from the United States, alien registration and fingerprinting, registration of foreign agents, and selective training and service. The immigration laws are amended accordingly and, under section 7(d) and 8(b), the same procedure for deportation is made applicable to alien officers and employees of international organizations as in the case of officials of foreign governments.

Under section 7(b), all officials of international organizations, including American citizens, and representatives of foreign governments therein, would be granted immunity from suit and legal process for acts performed in their official capacity. It should be noted that under this provision and section 8(c) there would not be extended full diplomatic immunity from judicial process as in the case of diplomatic officers.

Section 8(a) of the act provides the procedure for notification to and acceptance by the Secretary of State of the persons to be entitled to the benefits of the legislation. Section 8(c) provides that no person shall by reason of the provisions of the legislation, receive diplomatic status or be entitled to any of the privileges incident thereto except as set forth in the act.

Section 9 of the act provides that the benefits of the legislation shall be granted notwithstanding the fact that similar privileges and immunities granted by the United States to a foreign government may be conditioned upon the extension of reciprocity by that government. This provision is included to make it clear that the privileges and immunities may be extended to international organizations even though such organizations are not in a position to accord similar treatment to the United States; in substance the effect is to state that the reciprocity provisions which are contained in certain laws providing for privileges and immunities to foreign governments would not be applicable in this situation. However, this section also provides that the Secretary of State shall not be precluded from withdrawing privileges and immunities from nationals of any foreign country which fails to provide corresponding privileges to the citizens of the United States.

Section 10 of the act provides that it may be cited as the "International Organizations Immunities Act."

INCENTIVES FOR PROSPECTIVE DEFECTORS FROM COMMUNIST COUNTRIES WHO FURNISH CERTAIN VALUABLE INFORMATION

Mr. EASTLAND. Mr. President, I introduce, for appropriate reference, a bill to provide incentives for prospective defectors from Communist countries who may come over to our side with information of value to the United States.

The bill authorizes admission of such defectors for permanent residence in this country, and also authorizes the payment of annuities to insure the ability of each such defector to maintain a decent standard of living for himself and his family. Such annuities would be adjusted to take into account income of the defector from other sources; but during the period of adjustment which would be necessary in the case of any defector, these annuities would insure the ability of the defector to maintain himself and his family in reasonable security.

Their purpose is just as I have described, to assure a prospective defector that in addition to being received as a permanent resident of the United States,

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he will have reasonable security for himself and his family during the difficult period of adjustment to life in a new country.

This bill is in line with recommendations which have been made by the Internal Security Subcommittee. Its enactment should do a good deal to counter Communist propaganda against defections, which has as one of its strongest points the argument that a defector, by coming over to our side, sets himself and his family adrift in an unfamiliar society with which he may not be able to cope and without any assurances that he will be able to make a living for himself and his loved ones. Often a defector has to leave all his property behind him, and in such a case it is naturally a serious problem, which he must consider, how he and his family are to get along until he can establish himself in his new surroundings.

My bill provides for administration of the program of defector awards by a Board to be composed of the Secretary of State, the Attorney General, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, and the Chief of the Intelligence Branch of the Department of Defense. The Secretary of State is placed on the Board because of the possible impact of defections upon our foreign relations. The Attorney General is placed on the Board because of his supervision of immigration, and his general overall supervision of law enforcement on the Federal level. The reason for inclusion in the Board of the members connected with the intelligence services needs no explanation. It may be the Board should be expanded to include others, and this can be considered when hearings are held on the bill.

THE PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2131) to provide awards and other benefits to aliens supplying information with respect to Communist activities, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on the Judiciary.

RETURN OF FLAG FLOWN AT THE ALAMO TO THE STATE OF TEXAS

Mr. TOWER. Mr. President, the story of the Alamo is known to all Americans. It was here that some 182 men died in the name of independence and liberty. Their story is the story of valor, of courage, of sacrifice.

The men who gathered at the Alamo were from many States. They rallied under a number of flags, but all their flags proclaimed a single purpose—Liberty and Independence.

For many months Texas had chafed under the excesses of Santa Ana's military dictatorship, which had been established in violation of and in violence to the liberal Mexican Constitution of 1824. Because their position had become intolerable, these men were willing to face the might of Santa Ana's army.

Historians record that there were probably several flags at the Alamo. Mr.

Walter Lord, in his book "A Time To Stand" says:

These men, like the rest of Texas, had their improvised flags. The New Orleans Greys carried their azure blue. Travis' regulars had the 45 flag bought en route to San Antonio—no description remains. Segula's nine men might well have carried a Mexican tricolor with two stars standing for Coahuila and Texas as separate states.

But Mr. Lord also notes that "judging from Colonel Almonte's diary, only one Texan banner was taken on March 6; and judging from the Mexican archives, this was the azure emblem of the New Orleans Greys."

Mr. President, a flag means many things to different people. Our own wonderful Stars and Stripes evokes a feeling of patriotism in the hearts of all Americans. It sums up our feeling for our country; it is our symbol of unity, of greatness, and of our liberty.

But there are other flags, other banners, under which men have fought and died for liberty. And it is important that we approach Flag Day, that day when we pay special honor to our own Stars and Stripes, we consider another flag, of another day, but also of our own people.

That flag, Mr. President, is the flag of the Alamo. When the last of the Alamo's defenders died on March 6, 1836, the flag of the Alamo was sent to Mexico City by General Santa Ana as a trophy of war. It remains there to this day, enshrined now in the Mexico National Archives at Chapultepec Castle.

Mr. President, with the passing of time there has also been a passing of the bitterness of the past. Now the people of our two countries, Mexico and the United States, are good, and peaceful friends. Mexico has also had its own revolution, and now proudly champions the idea of liberty and freedom. We stand together, Mr. President, in the field of seeking human betterment through peaceful means. In short, Mr. President, a new day has long since dawned in the relations between our two countries.

It is fitting at this time, Mr. President, and in light of present goodwill between the people of Texas and the people of Mexico, that the flag of the Alamo be returned to its home, to rest in honored glory forever.

According to Mr. William Gardner, the distinguished political writer, for the Houston Post, and a man who has done much research on this subject, the flag of the New Orleans Greys accompanied a band of volunteers that came to Texas in late 1835. The company was organized in New Orleans. They took their flag with them to the Alamo, and it was this banner, from available evidence, around which the defenders rallied. At any rate, it was considered the chief flag of the defenders by Gen. Antonio Lopez de Santa Ana, for he sent it by special messenger to Gen. Jose Maria Rornel, the Secretary of War and Navy with the message of victory at the Alamo.

The flag was of azure blue, with the inscriptions "1st Company of Texas Volunteers from New Orleans," and "God and Liberty."

Mr. President, we do not know what flag would have been adopted had the

azure blue flag of the New Orleans volunteers not been captured. Eventually, as all the world knows, the struggle for independence was successful, and our flag in Texas proudly became the flag of the Lone Star. But regardless of that, it was the banner of the Alamo, under which the defenders of the Alamo fought, and gave up their lives for liberty. I believe all Americans will agree, Mr. President, that it is time for the flag to come home.

Mr. President, the Texas Legislature recently passed a resolution calling for friendly negotiations with Mexico aimed at returning the flag to its home. This resolution was the result of news stories both in Mexico and in the United States suggesting that perhaps the time is now ripe, in view of the mutual esteem with which our two peoples hold each other, to return the honored flag to the people of Texas.

However, Mr. President, there is some division of opinion in Texas as to the propriety of a State conducting negotiations, however friendly, with a foreign nation. Because of that, and because I believe this to be a matter of importance for the long-range friendly relations between our two countries, I will submit a resolution asking that the Department of State join in this effort, that it use its good offices with the Government of Mexico in order that the azure blue flag of the Alamo, the banner of the 1st Company of Texas Volunteers from New Orleans, be returned to its home in Texas.

Mr. President, I ask that the text of my resolution be printed at this point in my remarks.

In addition, I ask that the text of articles about the Alamo flag, by the distinguished political affairs editor of the Houston Post, William H. Gardner, and by Larry Allen of the Fort Worth Star-Telegram be printed at this point in the Record, along with excerpts about the flag from the book "The Romantic Flags of Texas" by Mamie Wynne Cox.

THE PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and articles will be printed in the Record.

The resolution (S. Res. 112), submitted by Mr. Tower, was referred to the Committee on Foreign Relations, as follows:

S. Res. 112

Whereas the epic of the Alamo has stirred the imagination of generations and has remained a touchstone for courageous men everywhere; and

Whereas the deeds of the men who died at the Alamo in defense of liberty and independence have inspired bravery in men struggling against tyranny around the world; and

Whereas men from many States in our Union made up the band that fell at the Alamo; and

Whereas the standard of that valiant few, the azure blue banner of the 1st Company of Texas Volunteers from New Orleans with the inscription, "God and Liberty," is now enshrined in the Mexico National Archives at Chapultepec Castle; and

Whereas the Texas Legislature has passed a resolution calling for negotiations with our sister Republic and good neighbor, Mexico, aimed at returning the flag of the Alamo to Texas; and

Newark, New Jersey
THE STAR-LEDGER, Wednesday, June 9, 1963

Senate bill makes defection attractive to Reds

By EDWARD J. MOWERY

Star-Ledger Washington Bureau
WASHINGTON — A legislative move to tap a vast reservoir of potential Communist defectors unfolds today in the Senate.

As reported previously by this writer, some members of Congress have been concerned with the sharp decline of defectors from the Soviet bloc because of threatened reprisals and lack of inducements.

A bill being introduced today by Sen. James O. Eastland (D-Miss.), it was learned, will guarantee potential defectors and their families permanent residency in the United States and ample financial security.

Eastland, chairman of the powerful Senate Judiciary Committee and its internal security subcommittee, has long advocated a forceful American bid to penetrate the Iron Curtain through the knowledge and co-operation of Red bloc dissidents.

In a statement to accompany introduction of the measure, Eastland proposes creation of a Communist defectors awards board consisting of the secretary of state, the attorney general, directors of the Federal Bureau of Investigation and Central Intelligence Agency, and the chief of the intelligence branches of the Defense Department.

Explaining that the bill is designed to provide adequate incentive for prospective Communist defectors "who may come over to our side with information of value to the United States," Eastland's statement says:

"This act, to be known as the Communist Defectors Awards Act of 1963, authorizes admission of such defectors for

permanent residence, the payment of annuities to insure the ability of each such defector to maintain a decent standard of living for himself and his family . . . and reasonable security during the difficult period of adjustment to life in a new country."

"The bill's enactment," Eastland will stress, "should do a great deal of good to counter Communist propaganda against defections which has as one of its strongest points the argument that a defector, by com-

ing to our side, sets himself and his family adrift in an unfamiliar society . . . without any assurances that he will be able to make a living for . . . his loved ones.

"Often a defector has to leave all his property behind him, and in such a case it is natural-

ly a serious problem which he must consider . . ."

Eastland's proposed creation of a top-level board to administer the defector program would bring order to the previously haphazard handling of defectors. Inclusion of the secretary of state on the board is "because

of the possible impact of defections upon our foreign relations."

The attorney general's membership is due to his supervisory role over immigration, and inclusion of the intelligence services experts "needs no explanation."

The proposal has as its target the ever-growing Red bloc personnel roster in the United States. The roster now stands at 1,964; 786 Communist block officials, 1,178 dependents. Russians total 785.

Under favorable "determination of entitlement" by the

board, any person who, because of his present or former official position in a Communist or Communist-dominated country, or because of his former or present intimate relationship with such a person" could be eligible for defector benefits.

Text of Bill introduced by Senator James O. Eastland (D-Miss.)

A BILL

To provide awards and other benefits to aliens supplying information with respect to Communist activities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That this Act may be cited as the Communist Defectors Awards Act of 1965.

Sec. 2. Any person who, because of his official position or former official position or because of his former or present intimate relationship with a person or persons in or formerly in an official post or posts in a Communist or Communist-dominated country, has knowledge of or access to, and who furnishes to the Board hereinafter established, information of value to the United States with respect to Communist activities, plans or intentions, shall be given the following privileges and benefits, or either of them, upon a determination of entitlement thereto by the Board:

(a) admission to the United States as a permanent resident, with freedom from deportation for any cause antedating admission, notwithstanding any other provision of law; and

(b) an annuity, payable in monthly installments, in an amount fixed by the Board.

Sec. 3. There is hereby created a Communist Defectors Awards Board (hereinafter referred to as the Board) consisting of the Secretary of State, the Attorney General, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, and the Chief of the Intelligence Branch of the Department of Defense. Members of the Board shall serve as such without additional compensation, and their expenses incurred in connection with the work of the Board shall be deemed incurred in the performance of the official duties of their respective offices. The Board shall have authority to determine, in any case of a person such as is referred to in section 2 of this Act, whether such person has information which would warrant awarding the privileges and benefits provided under section 2 of this Act. Necessary quarters, supplies and housekeeping and clerical services for the Board shall be provided by the General Services Administration.

Sec. 4. If the Board determines that any such person is entitled to be admitted to the United States and that he or she is further entitled to a money award, it shall issue its certificate of entitlement in which it shall fix such annuity, payable in monthly installments, as will, in the opinion of the Board, provide such person with an income which, when considered in conjunction with all other income of such person, will allow him or her to maintain a standard of living for self and dependent family comparable to that of the average person in the United States who is engaged in the same profession, occupation or calling as the person to whom the award is made. Any annuity so fixed shall thereafter be increased or decreased, as the Board may direct, for the purpose of providing for continued maintenance of such standard of living. Annuities fixed in any valid certificate of entitlement issued by the Board shall be paid by the Secretary of the Treasury out of any funds available therefor.

Sec. 5. Subsection 245(a) of the Immigration and Nationality Act (Public Law 414, 82nd Congress), as amended, is further amended by adding thereto at the end thereof a new sentence as follows:

The status of an alien affected by subsection 241(e) who shall apply for permanent sanctuary in the United States may, with the approval of the Communist Defectors Awards Board, be adjusted by the Attorney General as provided in the first sentence of this subsection without regard to clauses (3) or (4) thereof.

Sec. 6. There are hereby authorized to be appropriated annually by the Congress of the United States out of any funds not otherwise appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

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